

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

MIRANDA AVANT-ELLIOTT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:23-CV-00196 NCC
	)	
ST. LOUIS PUBLIC SCHOOLS	)	
BOARD OF EDUCATION,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

Plaintiff Miranda Avant-Elliott moves for appointment of counsel in this employment discrimination action. After considering the motion and the pleadings, the motion is denied without prejudice to refiling at a later time.

There is no constitutional or statutory right to appointed counsel in civil cases. *Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. *See Johnson v. Williams*, 788 F.2d 1319, 1322-23 (8th Cir. 1986); *Nelson*, 728 F.2d at 1005.

It appears that plaintiff has presented non-frivolous allegations in her complaint for employment discrimination. However, she has demonstrated, at this point, that she can adequately present her claims to the Court. Additionally, neither the factual nor the legal issues in this case are complex. Thus, the Court will decline to appoint counsel at this juncture. Nonetheless, the Court will entertain future motions for appointment of counsel as the case progresses.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for appointment of counsel [ECF No. 3] is **DENIED at this time.**

Dated this 21st day of February, 2023.

/s/ Noelle C. Collins  
NOELLE C. COLLINS  
UNITED STATES MAGISTRATE JUDGE